

REMARKS

Entry of Amendment and IDS

As Applicants are filing a RCE herewith, this amendment and the accompanying IDS should be entered and considered by the Examiner at this time.

Applicants will now address each of the Examiner's objections and rejections in the order in which they appear in the Final Rejection.

Claims 24-35

In the Final Rejection, the Examiner states that newly submitted Claims 24-35 are directed to an independent or distinct invention and are withdrawn from consideration.

Accordingly, Applicants are canceling Claims 24-35, without disclaimer or prejudice to filing a divisional application on the non-elected claims at a later date.

Claim Rejections - 35 USC §103

Claims 1-3, 9-14, 23

The Examiner also rejects Claims 1-3, 9-14 and 23 under 35 USC §103(a) as being unpatentable over Yamagata (US 2002/0070385), in view of Koyama (US 2001/0002703) in view of Himeshima et al. (JP 09-235546) and Yamazaki et al. (US 2002/0074936). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claim 1.

More specifically, in the Final Rejection, the Examiner states that the claim phrase “to be operated...region” does not structurally distinguish the claimed invention from the prior art. While Applicants are not agreeing with the Examiner, in order to advance the prosecution of this application, Applicants have deleted this phrase.

In addition, Applicants are amending Claim 1 to recite the feature of “a first layer provided over the transistor, the first layer having a thickness which is larger than a step caused by the transistor.” This feature is supported by, for example, Fig. 1 in the present application (see marked-up copy of Fig. 1 below with arrow pointing to the claimed “first layer”). Figure 1 also clearly shows that the thickness of the first layer is larger than the step which is caused by the height of the transistor (120). Claim 1 has also been amended to recite “a first passivation film [film 125 in Fig. 1] formed over and in contact with the first layer.” This feature is also shown in Fig. 1 (see below). In addition, Applicants are amending Claim 1 to recite the materials of the first passivation film and the second passivation film. This feature is supported by, for example, page 8, lines 3-18 of the specification of the present application.

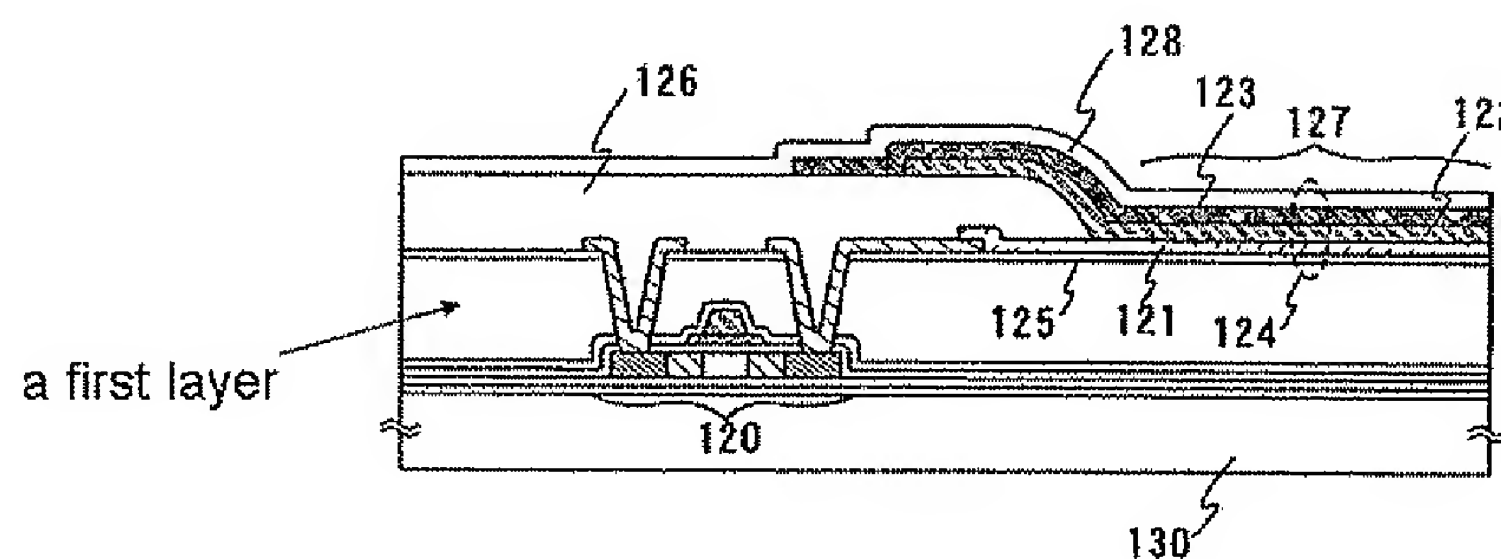


Fig. 3

Hence, no new matter is being added. Independent Claims 2 and 23 are being amended in a similar manner. Therefore, it is respectfully requested that these amendments be entered and allowed.

In the structure of amended Claim 1, the light-emitting element and the photosensitive organic resin film are sandwiched between a pair of passivation films (see e.g. page 4, lines 16-24 in the specification). This structure allows the formation of a light-emitting element having a light-emitting layer with an extremely low concentration of a dopant (see e.g. page 4, line 25 – page 5, line 7), which enables the expansion of the reliability of the electroluminescence device, as described at e.g. page 6, lines 2-9 in the specification. Hence, the claimed structure is highly advantageous.

These amendments clearly distinguish the claimed invention over the cited references.

For example, the Examiner admits that Yamagata does not disclose first and second passivation films (among other claimed elements). The Examiner contends that films 554 and 555 in Fig. 16 (or apparently films 42 and 41 in Fig. 11) in Koyama are the first passivation film of the claimed invention.

However, even if arguably films 554 and 555 correspond to the claimed first passivation film (which Applicants do not admit), Koyama does not disclose or suggest the claimed feature of the first layer having a thickness larger than a step caused by (the height of) the transistor since no layer having such a thickness is disclosed in Fig. 16 (or Fig. 11) in Koyama.

Film 555 (or film 42 in Fig. 11) in Fig. 16 in Koyama cannot be the claimed first layer, since in the claimed invention, the passivation film is formed over and in contact

with the first layer, and the anode is formed over and in contact with the first passivation film. However, in Koyama, no layer is interposed between the electrode 43 or 556 and layer 42 or 555.

Therefore, the cited references (even if combined, which Applicants do not admit is proper) do not disclose or suggest the device of independent Claims 1, 2 and 23, and Claims 1, 2 and 23 and those claims dependent thereon are patentable over these references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 4

The Examiner also rejects Claim 4 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima et al. and Yamazaki '936 and further in view of Yamazaki et al. (US 6,359,320). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 5

The Examiner also rejects Claim 5 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima et al. and Yamazaki '936 and further in view of Tamai et al. (US 5,793,497). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 6

The Examiner also rejects Claim 6 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima et al. and Yamazaki '936 and further in view of *Producing Monolithic Light Emitting Diode Display Chips* (IBM Technical Disclosure Bulletin Vol. 16, Issue 1, Pg. 6, 6/1/1973). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 7

The Examiner also rejects Claim 7 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima et al. and Yamazaki '936 and further in view of Jones et al. (US 6,069,443). This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Claim 7 has been canceled, without prejudice or disclaimer, rendering this rejection moot. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 15

The Examiner also rejects Claim 15 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima et al. and Yamazaki '936 and further in view of Tamano et al. (US 5,968,675). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are also adding new Claims 36-39.

It is respectfully requested that these new claims be entered and allowed.

If any fee should be due for these new claims, please charge our deposit account 50/1039.

Information Disclosure Statement

Applicants are also submitting an information disclosure statement (IDS) herewith. It is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the RCE, or the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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